MINUTES OF BOARD OF ZONING APPEALS MEETING August 26, 2010

The Board of Zoning Appeals was called to order at 7:20 p.m. by Chairperson Marshall. Meeting started late because chairperson Ponder arrived late and we needed a quorum to hold a meeting.

Members Present: Marshall, Stone, Vail, Ponder.

Members Absent: Olsen.

Others Present: Debbie Towncheck for Walmart, Brad Moore of BRR Architect for Walmart,

Zoning and Code Enforcement Director Bruce Parker, Secretary - Debbie Hilgen.

CASE OF WALMART

Tax Parcel: /A1709 00001

To allow for a variance to Section 19.54.052 for wall signs in access of the maximum 50 sq. ft. requirement, increasing the total wall signage to 375.24 sq. ft. and to increase the number of allowed wall signs from 1 sign to 2 wall signs.

Chairperson Marshall explained the procedures of the Board of Zoning Appeals. Appellant Debbie Towncheck, Brad Moore and Bruce Parker were sworn in by Chairperson Marshall.

Appellant Towncheck described the expansion plans for Walmart with the existing store. This store will have a new look and a new sign. The Plan Commission granted a conditional use at their August 2nd meeting and the Common Council approved the development agreement at their August 17th meeting. The current sign is not in compliance with the current sign code. Apparently it was at the time the store was built years ago.

Towncheck distributed Exhibit 1 labeled "Retail Sign Standards Sample Comparison Table". Other cities allow this size signage. Vandewalle supports the variance. The sign requirement of 50 feet would be small compared to the size of the building. The larger signage would create safer conditions for drivers for viewing the store from the road. The overall look of the building will enhance the neighborhood. The emergency personnel will be able to locate the store quicker, also. The building sits back around 451 feet from the street. They will be downsizing the pillar sign out front by the road to comply with the current ordinance.

No questions from the board.

City of Whitewater Zoning Administrator Bruce Parker explained according to the current ordinance, only 10% of the building is allowed for signage. The maximum would be 50 square feet. They are in the process of looking into the zoning ordinance because there might be more boxed stores coming into the city. The main sign would be 298 square feet and the garden center would be 77 square feet. Sentry has 3 signs and they have a variance for those signs. Walmart did get a variance for the current signage.

There were no people in the audience or letters objecting to the project. There was one letter, Exhibit 2, from DLK, Dave Kachel approving the project.

Being no further testimony or questions, it was moved by Vail and seconded by Ponder to adjourn to closed session, not to reconvene, per Wisconsin Statutes 19.85(1)(a) "deliberating concerning a case which is the subject of a quasi-judicial hearing before the board."

AYES: Ponder, Vail, Marshall, Stone.

NOES: None. ABSENT: Olsen.

The regular portion of the Board of Zoning Appeals meeting adjourned at 7:40 p.m.

Respectfully submitted,

Debbie Hilgen Secretary